

REMARKS

Claims 1-16 and 23-28 remain in this application. No amendments are being made in this paper.

Upon further reviewing the Chu reference, applicant notes a passage at column 6, lines 28-32 which refers to element 24 as being a thin film thermoelectric device. Applicant therefore withdraws his argument that the reference fails to show TFTECs.

However, applicant respectfully observes that two other, even more important, arguments that the applicant made in the last Response have not been appropriately addressed (or even addressed at all) in the Examiner's "Response to Arguments". These arguments are:

(1) That the Examiner has failed to state a *prima facie* case of obviousness since the Examiner does not even assert that the combination of Messina and Chu suggests placing a TFTEC in a microchannel. In this regard, applicant refers to the second paragraph of page 3 of the pending Office Action. The Examiner merely asserts that it would have been obvious to employ a TFTEC in Messina's apparatus. This falls short of what is actually claimed in this application. This application does not just claim that coolant circulating microchannels and TFTECs be employed in the same apparatus, but goes on to claim that TFTECs actually be installed in the microchannels. The Examiner has, so far, not even concluded that the references so suggest.

(2) Even more fundamentally, that the references, taken as a whole, provide no apparent reason why one of ordinary skill in the art would modify Messina's apparatus as proposed by the Examiner. Messina and Chu present alternative ways of cooling an IC. Nothing in the references or their combination provides teaching to the effect that there are defects in one or the other type of cooling device that should be remedied by the combination of features set forth in the claims herein. It is respectfully submitted that, short of engaging in impermissible hindsight, there would be no basis for combining the references to arrive at the claimed invention.

Applicant again notes that he is bolstered in his belief that the present invention is patentable by the finding in the related PCT application that all of the pending claims exhibit an "inventive step". In no way has the Examiner yet brought forth prior art that is better than what the PCT Examiner considered.

Applicant sincerely hopes that the Examiner will now give serious consideration to these arguments, and will withdraw the pending rejections, so that it will not be necessary to pursue an appeal.

C O N C L U S I O N

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,

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Date

/Nathaniel Levin/
Nathaniel Levin
Registration No. 34,860
Buckley, Maschoff & Talwalkar LLC
50 Locust Avenue
New Canaan, CT 06840
(203) 972-3460